

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHAWN LAMONT BROWN,	)	
	)	
Plaintiff,	)	Civil Action No. 08-128E
	)	
v.	)	Judge McLaughlin
	)	Magistrate Judge Bissoon
SUPERINTENDENT RAYMOND	)	
J. SOBINA, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Shawn Lamont Brown's civil rights complaint was received by the Clerk of Court on May 1, 2008, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates. The case has since been referred to Magistrate Judge Cathy Bissoon.

The Magistrate Judge's Report and Recommendation, filed on December 2, 2009, recommended that the Plaintiff's Motion for Summary Judgment (Doc. 54) be denied, and that Defendants' Motion for Summary Judgment (Doc. 58) be granted. The parties were allowed ten days from the date of service of the report to file objections. A copy of the Report and Recommendation was sent via First Class United States Mail to Plaintiff's place of incarceration. Objections were due on or before December 16, 2009. No objections have been filed.

After de novo review of the pleadings and documents in the

case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 29<sup>th</sup> day of December, 2009,

IT IS HEREBY ORDERED that the Plaintiff's Motion for Summary Judgment (Doc. 54) is DENIED, and Defendants' Motion for Summary Judgment (Doc. 58) is GRANTED.

The Report and Recommendation of Magistrate Judge Bissoon, (Doc. 75), dated December 2, 2009, is adopted as the opinion of the court.

s/Sean J. McLaughlin  
Sean J. McLaughlin  
U.S. District Court Judge

cc:  
SHAWN LAMONT BROWN  
GH-3325  
SCI ALBION  
10745 ROUTE 18  
ALBION, PA 16475-0002